

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUL 21 2008

MOLLY C. DWYER, CLERK OF COURT  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRIAN WILLIAM ELM,

Defendant - Appellant.

No. 06-10641

D.C. No. CR-05-00053-06-RBL

District of Guam, Agana

**AMENDED MANDATE**

The judgment of this Court, entered 6/25/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court

By: Lee-Ann Collins  
Deputy Clerk